

Ordinance No:
Zoning Text Amendment No: 08-01
Concerning: Green Area - Definition
Draft No. & Date: 2 - 1/9/08
Introduced: 1/15/08
Public Hearing: 2/26/08
Adopted:
Effective:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: Councilmember Elrich

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- exclude any building roof area from the definition of green area; and
- generally amend the definition of green area.

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-A-2 “DEFINITIONS AND INTERPRETATIONS”
Section 59-A-2.1 “Definitions”

EXPLANATION: ***Boldface** indicates a heading or a defined term.*
Underlining indicates text that is added to existing laws by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Sec. 1. Division 59-A-2 is amended as follows:

Division 59-A-2. DEFINITIONS AND INTERPRETATIONS.

Sec. 59-A-2.1. Definitions.

In this Chapter, the following words and phrases have the meanings indicated:

* * *

Green area: An area of land [associated with and located on the same tract of land as a major building or group of buildings, or a prescribed portion of the land area] that provides light and air, or scenic, recreational, or similar amenity [encompassed by a development plan, diagrammatic plan, or site plan, to which it provides light and air, or scenic, recreational or similar amenities]. This [space] area must generally be available for entry and use by the occupants of the site [building or area involved], but may include a limited [proportion of space so located and treated as to enhance the amenity of the development by providing] area that provides [landscaping features or for] landscape screening [for the benefit of the occupants or those in neighboring areas, or] a general appearance of openness or a scenic, recreational, or similar amenity for the visual benefit of anyone using a neighboring tract of land. Green area may include [but is not limited to] a feature such as a [lawns] lawn, decorative [plantings] planting, [sidewalks] sidewalk, [and walkways] walkway, active and passive recreational [areas] area including a children's [playgrounds] playground, public [plazas] plaza, [fountains] fountain, swimming [pools] pool, wooded [areas] area, and [watercourses] watercourse.

Green area [does] must not include the area of any:

(1) [parking lots or vehicular surfaces] surface used by any motor vehicle ,
including any parking lot;

(2) building footprint; or

(3) [accessory buildings other than any swimming pools; or

areas of open space so located,] small open space [, or] circumscribed by

buildings, parking, or drainage areas [as to] that [have] has no substantial
value for the purposes stated in this [paragraph] definition.

* * *

Sec. 3. Effective date. This ordinance takes effect 20 days after the date of
Council adoption.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council